

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FAY S. GUNDLACH, §
Plaintiff, § C.A. NO.: 05-491
v. § TRIAL JURY DEMANDED
FOOD LION, L.L.C., a subsidiary of §
DELHAIZE AMERICA, §
Defendants. §

DEFENDANT'S REQUEST FOR PRODUCTION DIRECTED TO PLAINTIFF

Defendant requests Plaintiff to produce for examination and copying at the office of the attorney for said defendants within thirty (30) days of date of service hereof the following items:

1. All hospital records, doctors' summaries, doctors' office records, and reports concerning any physical tests performed on or concerning plaintiff, and any other matter in writing prepared by or on behalf of any person trained in the healing arts concerning plaintiff's past, present, or future physical condition insofar as such matters in writing may be in the possession of the plaintiff or his attorney or available to them upon request by them to any doctor, hospital, or other person trained in the healing arts.
2. Copies of all statements, bills or canceled checks showing the amount charged for services rendered to the plaintiff, or items sold to the plaintiff in connection with the care of plaintiff's alleged physical injuries.
3. Copies of all photographs, sketches, diagrams, or other drawings taken by or prepared by you or on your behalf, in your possession or available to you concerning any aspect of the litigation.
4. Copies of all reports of investigation, findings of fact, observation of facts or circumstances, or any other matter relating to any aspect of the litigation.
5. Copies of any reports by any person qualifying as an expert containing opinions and/or facts on which opinions are based concerning any aspect of the litigation.

6. Copies of any and all writings in your possession or available to you identified or referred to in any way in your answers to Defendants' Interrogatories.

7. Copies of any and all writings in your possession or available to you in addition to the items specified in previous sections of this Request for Production which pertain in any way to the issues raised by the pleadings herein.

8. Copies of any and all writings which you intend to rely upon in any way at trial.

9. Copies of Federal and State income tax returns and withholding statements for Plaintiff for 1999, 2000, 2001, 2002, and 2003.

BAILEY & ASSOCIATES, P.A.

/s/ James F. Bailey, Jr.
JAMES F. BAILEY, JR.
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DATED: October 26, 2005